

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HITACHI MEDICAL SYSTEMS)	
AMERICA, INC.,)	CASE NO. 5:09-CV-2613
)	
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
ST. LOUIS GYNECOLOGY &)	
ONCOLOGY, LLC, <i>et al.</i> ,)	
)	
Defendants.)	

This case was referred to Magistrate Judge Pearson for general pre-trial supervision.

ECF No. 5. Defendant Kirk Bowman (“Bowman”), acting *pro se*, filed his Response to Plaintiff Hitachi Medical Systems America, Inc.’s (“Hitachi”) Complaint that included answers to the allegations in the Complaint and requests that the Court dismiss the Complaint for lack of personal jurisdiction or for improper venue and transfer the case to Missouri. ECF No. 21 at 2.

Magistrate Judge Pearson issued a Report and Recommendation regarding Bowman’s requests for dismissal on November 2, 2010, recommending that the Court deny Defendant Kirk Bowman’s motions for dismissal and request for transfer. ECF No. 29. No objections have been filed to the Report and Recommendation. Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

(5:09-CV-2613)

The Magistrate Judge's Report and Recommendation was filed on November 2, 2010. The fourteen day period has elapsed and no objections have been filed.

The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's Report and Recommendation and adopts the same. Accordingly, Defendant Kirk Bowman's motions for dismissal and request for transfer (ECF No. 21) are DENIED.

IT IS SO ORDERED.

November 22, 2010
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge